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February 20, 2025

Honorable Robert M. Levy
U.S. Magistrate Judge
Eastern District of New York
225 Cadman Plaza E,
Brooklyn, NY 11201

***Re: Abeth Hashimi, v. Bicu's Playground LLC et al
Civil Action No.: 1:24-cv-01571-EK-RML
Joint Letter***

Dear Honorable Magistrate Judge Levy,

We represent Plaintiff in the above-styled action.

Pursuant to the Court's February 19, 2025 Order, the Parties are required to file a joint letter by on or before February 28, 2025, explaining the status of the stipulation.

The Plaintiff and Defendant's settlement agreement has been constrained by a contentious breakdown in the settlement review process and correspondence. Foremost, despite the Plaintiff furnishing the memorialization of the settlement terms upon the Defendant after the original Settlement Conference, on or around the end of November 2024, the Defendant has entirely failed to provide a single answer to the Plaintiff's proposed settlement documentations for months, until just this month after Plaintiff advised the Defendant that he would request the Court intervene or otherwise allow the prosecution of the ADA violations and barriers to access that formulate the grounds for these proceedings. While the Defendant's counsel reiterated that he would contact the Defendants, since that time [February 6, 2025] the Defendant has yet to respond in any way whatsoever.

While in the normal circumstances, the Parties would request an extension of time to complete the Settlement execution, it appears most obvious that the Defendant is not assiduous nor reliable to earnestly take part in the final resolution of this matter, the Plaintiff believes that the best step forward would instead be to beseech the Court for a second Settlement Conference, to go over the terms of the Settlement in Principle that was previously reached, or at least that was the conclusion of the Plaintiff and the Court, if not the Defendant as well.

For these reasons, Plaintiff requests a second Settlement Conference to authorize and/or review the terms of the settlement instruments that have been before the Defendant since late November.

Thank you for your time in considering this request.

Most Respectfully,

BARDUCCI LAW FIRM



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Maria-Costanza Barducci Esq.

cc: Via CM/ECF Only